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U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE ON INTELLIGENCE

WASHINGTON, D.C. 20515

October 20, 1978

Executive Secretary
78-41574

OLC #78-249
Duck Helms

Honorable Stansfield Turner
Director of Central Intelligence
Washington, D.C. 20505

Dear Admiral Turner:

This is in response to the letter of Acting Deputy Director John F. Blake relative to a civil suit (Halkin v. Helms, Civil Action No. 75-1773 U.S.D.C., D.C.) wherein discovery is requested of certain materials originating from this Committee's predecessor, the House Select Committee on Intelligence of the 94th Congress. Under the provisions of Sec. 4 of H.Res. 658 of the 95th Congress, these materials are in the custody and control of this Committee.

This Committee is presently reviewing all the materials which it has inherited from its predecessor Committee. Any decision to disclose or release these materials -- which include materials or information originating with the former Select Committee on Intelligence, material prepared for the Committee in response to its express interests and any material resulting from specific questions put to intelligence agencies and officials -- must first be proposed by this Committee. The Committee wishes it clearly understood that no disclosure or release of any of the above described material or information may be made without the express written authorization of this Committee.

A further requirement for disclosure of any information or material which is classified -- as is the material in question -- is found in the provisions of Clause 7, of Rule XLVIII, of the Rules of the House of Representatives, which provides that the House shall determine the final disposition of such questions. While Rule XLVIII does not control in this situation, as Mr. Blake's letter indicates, the general principle that the House should

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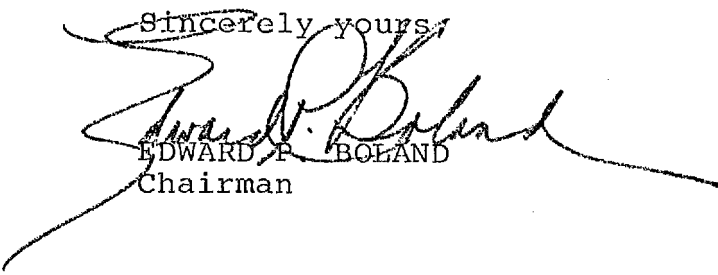
decide policy issues which affect more than just one of its committees is fully apposite. Accordingly, this Committee could not consent to the publication through the mechanism of a civil discovery motion of materials or information taken in executive session without first submitting this issue to the House for resolution of the broader policy issue which is involved.

In any case, such a submission is not required. After examination, this Committee has concluded that publication of the materials in question (transcripts of hearings held on August 4 and 6, 1975) is not appropriate.

The House of Representatives voted 246 to 124 on January 29, 1976, not to publish the final report submitted to the House by the Select Committee on Intelligence. In light of that expression, this Committee feels constrained not to publish the materials which formed the basis for that Committee's conclusions. Rather, this Committee will continue its examination and review of intelligence and intelligence-related activities in light of the materials collected by its investigations and the former Select Committee. When it deems appropriate, this Committee will publish such materials as it feels will further the understanding of the intelligence and intelligence-related activities which it oversees.

With every good wish, I am

Sincerely yours,



EDWARD P. BOLAND
Chairman

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EXECUTIVE SECRETARIAT

Routing Slip

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10	LC	✓			
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